

**ORDINANCE 2322**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS AMENDING THE CODE OF ORDINANCES BY REVISING CHAPTER 3, ARTICLE VIII (SMOKING IN PUBLIC PLACES) TO LIMIT SMOKING IN CERTAIN ESTABLISHMENTS IN THE CITY.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS:**

**Section 1.** That Section 3-142 of the Code of Ordinance is amended to read as follows:

Sec. 3-142. Areas exempt from regulation.

- (a) Smoking is allowed in the following establishments if the smoke from the establishment does not permeate into areas where smoking is prohibited under this article:
  - (1) Bars in operation on or before December 31, 2007;
  - (2) Tobacco bars in operation on or before December 31, 2023;
  - (3) Country Clubs; and
  - (4) Stage areas of enclosed theaters, if smoking is an integral part of a theatrical performance.
- (b) Smoking is allowed in Town Square Plaza during an event or activity that is held in an area leased under the plaza rules and regulations or for which a permit is granted under section 5-220 of the Code of Ordinances if the city council has adopted a resolution allowing smoking during the event or activity.
- (c) Smoking is allowed in the TIRZ No. 4 Plaza during blackout periods, a special event, or a general rental, as defined in section 5-526 of this code, if the city council has adopted a resolution allowing smoking during the event or activity.

**Section 2.** That the provisions of this ordinance are severable and the invalidity of any part of this ordinance will not affect the validity of the remainder of the ordinance.

APPROVED on first consideration on \_\_\_\_\_, 2023.

ADOPTED upon second consideration on \_\_\_\_\_, 2023.

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Joe R. Zimmerman, Mayor

ATTEST:

APPROVED AS TO FORM:

*Meredith Riedel*

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Robin Lenio, City Secretary